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CHRIS PRINCIPE

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CHRIS PRINCIPE,

Plaintiff,

v.

TIMOTHY GLEN CURRY A/K/A
TIMOTHY TAYSHUN,

Defendant.

) Case No. 8:17-cv-00608 JLS (KESx)

) **STATEMENT OF NON-OPPOSITION
TO MOTION FOR PRELIMINARY
INJUNCTION ORDER AGAINST
HARASSMENT [27]**

) DATE: December 1, 2017

) TIME: 2:30 p.m.

) CTRM: 10A

) Hon. Josephine L. Staton

1 Plaintiff submits this statement of non-opposition regarding his Motion for
 2 Preliminary Injunction Order Against Harassment filed on October 20, 2017. Dkt. 27.
 3 The hearing on this matter is set for December 1, 2017. *Id.* Per Local Civil Rule 7-9,
 4 Defendant's opposition was to be filed not later than twenty-one days before the hearing
 5 date. Counting backwards twenty-one days from the hearing, the deadline in this instance
 6 would have been November 10, 2017.

7 However, pursuant to Rule 6(a)(6)(A) of the Federal Rules of Civil Procedure,
 8 November 10, 2017 is a legal holiday,¹ making Defendant's opposition to the motion due
 9 on the "next day" the Court is open. Fed. R. Civ. P. 6(a)(1)(C). However, in this instance,
 10 the "next day" is determined by continuing to count backward from the triggering event,
 11 which in this case is the hearing date. Fed. R. Civ. P. 6(a)(5). The "next day" when the
 12 opposition would have been due was therefore November 9, 2017. *See id.*

13 Defendant did not, however, file an opposition by this due date. As a result, the
 14 motion should be deemed conceded per Local Civil Rule 7-12, and Plaintiff therefore
 15 requests that the Court grant the motion.

16 DATED: November 10, 2017

Tucker Ellis LLP

17 By: /s/Steven E. Lauridsen

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 Howard A. Kroll
 Steven E. Lauridsen
 Attorneys for Plaintiff
 CHRIS PRINCIPE

¹ The Court is closed on November 10, 2017, in observance of Veterans Day, a legal holiday under the Federal Rules. *See* <http://www.cacd.uscourts.gov/news/veterans-day-holiday-4>